

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. PCT/EP04/09236, filed on 8/18/2004.

Information Disclosure Statement

The information disclosure statement filed 4/17/2006 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Benoit Castel on 8/28/2008.

The application has been amended as follows:

In the specification:

Page 1, line 2 has been amended to include - -Field of the Invention- -;

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Page 1, line 7 has been amended to include - -Background of the
Invention- -;

Page 1, line 35 has been amended to include - -Summary of the
Invention- -;

Page 4, line 4 has been amended to include - -Brief Description of the
Drawings- -;

Page 4, line 7 has been amended to include - -Detailed Description of the
Invention- -;

Page 4, line 8, "Figure 1" has been changed to - -The Figure- -

In the claims:

Claim 1, line 4, "the engine speed" has been changed to - -an engine
speed- -;

Claim 1, line 7, "the vehicle" has been changed to - -a vehicle- -;

Claim 2, line 3, "an engine" has been changed to - -the engine- -;

Claim 2, line 3, "clutch (10) or similar element" has been changed to - -
clutch (10)- -;

Claim 6, lines 2-3, "in degraded mode" has been changed to - -in a
degraded mode- -.

The following changes to the drawings have been approved by the examiner and
agreed upon by applicant: Since only a single figure is provided, the label "FIG. 1"

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should be changed to - -Figure- -. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Allowable Subject Matter

Claims 1-11 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or render obvious a method for determining the engaged box ratio in a gearbox, wherein the engaged box ratio is determined when there is a change of gearbox ratio by dividing one by the other the values of an engine speed measured just before and just after the change of gear, in combination with the other method steps required by independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

RUNDE et al. (US 6,732,038) discloses a method of determining vehicle speed (see ABSTRACT).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWIN A. YOUNG whose telephone number is (571)272-4781. The examiner can normally be reached on M-TH 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. A. Y./
Examiner, Art Unit 3681

/Rodney H. Bonck/
Primary Examiner, Art Unit 3681